

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROOSEVELT ERVING, JR.,

Defendant.

**4:05CR3002**

**ORDER**

Defendant is incarcerated and is eligible for appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

**IT IS ORDERED:**

- 1) The motion for an order appointing CJA Counsel, (Filing No. 98), is granted.
- 2) Timothy P. Sullivan, Defendant's previously-appointed CJA counsel, is reappointed as CJA counsel for the purpose of investigating eligibility for and pursuing any relief that may be available to Defendant in light of the Supreme Court's ruling in *United States v. Davis et al.*, 139 S. Ct. 2319 (2019).
- 3) The clerk shall provide a copy of this order to the Federal Public Defender.
- 4) Timothy P. Sullivan shall promptly file an entry of appearance on behalf of Defendant.

July 18, 2019.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge